

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

|                      |              |   |
|----------------------|--------------|---|
| -----                |              | X |
| JOHN DOE,            |              | : |
|                      |              | : |
|                      | Petitioner,  | : |
|                      |              | : |
| - against -          |              | : |
|                      |              | : |
| RICHARD ROE, et al., |              | : |
|                      |              | : |
|                      | Respondents. | : |
|                      |              | : |
| -----                |              | X |

**ORDER**

12-mc-0557 (BMC)

This Order attempts to clarify some areas of confusion by the parties related to this docket. On August 23, 2012, I ordered that docket number 12-mc-0557, all documents referenced in the docket, and transcripts of hearings and proceedings held before this Court be unsealed and made available to NDNY AUSA Stephen C. Green and criminal chief Steven D. Clymer for the limited and exclusive purpose of assisting the investigation being conducted by the United States Attorney's Office for the Northern District of New York of possible criminal contempt committed in connection with this matter.

On September 4, 2012, I issued an order to unseal the case only to case participants and that going forward, **all filings concerning the civil contempt proceedings commenced by John Doe on February 10, 2012, shall be filed via ECF under 12-mc-0557.**

Apparently, the parties have continued to file documents related to the civil contempt proceedings under 98-cr-1101. It has also come to the Court's attention that certain parties were not receiving notifications of ECF entries on 12-mc-0557. Those issues have been resolved. The Court orders, again, that going forward, all filings concerning the civil contempt proceedings

commenced by Doe shall be filed via ECF under 12-mc-0557.<sup>1</sup> Again, if assistance is needed in filing in this manner, the parties should not delay in contacting the Clerk's Office at (718) 613-2332 or (718) 613-2331.

Additionally, the Court issued an Amended Order dated September 11, 2012 ordering the parties to file any objection to the unsealing of the docket sheet for 12-mc-0557 with the Court via ECF, under this docket number, by September 18, 2012. The Court further ordered that any objections shall describe what information should remain sealed, and why such sealing complies with the dictates of Hartford Courant Co. v. Pellegrino, 380 F.3d 83 (2d Cir. 2004). The Court has not received any objections as of yet and is inclined to consider this to mean that there are no objections to the unsealing of this docket. However, in case the lack of objections is a result of recent problems the parties have had with ECF, the Court further amends its Amended Order dated September 11, 2012, and hereby orders any objections to the unsealing of the docket sheet for 12-mc-0557 to be filed with the Court under this docket number, by October 2, 2012. Any objectors should bear in mind that Judge Glasser has ordered the docket sheet for 98-cr-1101 unsealed and that a hearing for the purpose of determining whether any document filed in 98-cr-1101 should be unsealed is to be held before Judge Glasser on October 2, 2012.

**SO ORDERED.**

s/Brian M. Cogan

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U.S.D.J.



Dated: Brooklyn, New York  
September 28, 2012

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<sup>1</sup> The Court shall coordinate separately with the Clerk of the Court to arrange for certain documents erroneously filed under 98-cr-1011, that should have been filed under 12-mc-557, to be transferred to the 12-mc-557 docket.